

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINAIN THE MATTER OF THE SEARCH OF
TARGET TELEPHONE #3, AS DESCRIBED
IN ATTACHMENT A-10Case No. 2:19-cr-00888MOTION FOR ORDER TO SEAL

The United States of America moves this Court to enter an order sealing the affidavit and attachments filed on October 23, 2019, in this matter until October 23, 2020. The Affidavit of probable cause, if disclosed, could alert targets to the ongoing criminal investigation. Premature disclosure of the above referenced documents could seriously jeopardize the investigation including by giving targets the opportunity to destroy or tamper with evidence, change patterns of behavior, flee from prosecution, and intimidate potential witnesses. For these reasons, the Government submits that the interests in sealing these documents outweigh the common-law public right of access and that sealing is “essential to preserve higher values.” *See Media Gen. Operations, Inc. v. Buchanan*, 417 F.3d 424, 429-31 (4th Cir. 2005). The Government further submits that by sealing the affidavit only until October 23, 2020, and providing public access to the search warrant and the application and this motion and order, the denial of access is narrowly tailored to serve the Government’s interests in sealing. *Id.* at 429.

WHEREFORE, the Government requests that the affidavit and its attachments be sealed until October 23, 2020, except that working copies should be made available to the United States Attorney’s Office, DCIS, and any other law enforcement agency designated by the United States Attorney’s Office. The Court has the inherent authority to seal those document. *See Baltimore Sun v. Goetz*, 886 F. 2d 60 (4th Cir. 1988); *In re Application of the United States for an Order Pursuant to 18 U.S.C Section 2703(D)*, 707 F. 3d 283 (4th Cir. 2013).

Motion for Order to Seal

Respectfully submitted,

SHERRI A. LYDON
UNITED STATES ATTORNEY

/s/ Alessandra Stewart
Alessandra Stewart
Assistant United States Attorney
151 Meeting Street, Suite 200
Charleston, SC 29401